

U.S. DISTRICT COURT  
DISTRICT OF MAINE  
PORTLAND  
RECEIVED & FILED

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

2019 JUL -1 A 11:18

HSBC Bank USA, National Association for  
the Benefit of ACE Securities Corp. Home  
Equity Loan Trust, Series 2006-NC3, Asset-  
Backed Pass-Through Certificates

Plaintiff

vs.

Amanda R. Gendreau, as Personal  
Representative of the Estate of Richard M.  
Gendreau

Defendant

CIVIL ACTION NO: 2:19-00153-JDL

DEPUTY CLERK

RE:

11 White Pine Lane n/k/a 512 Alewife Road,  
Kennebunk, ME 04043

Mortgage:

August 25, 2006

Book 14948, Page 0842

**CONSENT JUDGMENT OF FORECLOSURE AND SALE**

Now comes the Plaintiff, HSBC Bank USA, National Association for the Benefit of ACE Securities Corp. Home Equity Loan Trust, Series 2006-NC3, Asset-Backed Pass-Through Certificates, and the Defendant, Amanda R. Gendreau, as Personal Representative of the Estate of Richard M. Gendreau, by and through their undersigned counsel, and hereby submits this Consent Judgment of Foreclosure and Sale.

Count II – Breach of Note, Count III – Breach of Contract, Money Had and Received, Count IV – Quantum Meruit, and Count V – Unjust Enrichment, are hereby **DISMISSED** without prejudice at the request of the Plaintiff. **JUDGMENT** on Count I – Foreclosure, is hereby **ENTERED** as follows:

1. If the Defendant or her heirs or assigns pays HSBC Bank USA, National Association for the Benefit of ACE Securities Corp. Home Equity Loan Trust, Series 2006-NC3, Asset-Backed Pass-Through Certificates (“HSBC Bank USA”) the amount adjudged due and owing (\$544,098.07) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, HSBC Bank USA shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a

breakdown of the amount due and owing:

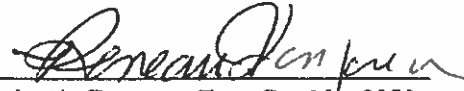
<b>Description</b>	<b>Amount</b>
Unpaid Principal Balance	\$240,000.00
Interest - 2	\$219,140.51
Escrow Advances	\$71,149.16
Attorney Fee	\$3,481.00
Recoverable Balance	<u>\$10,327.40</u>
<b>Grand Total</b>	<b>\$544,098.07</b>

2. If the Defendant or her heirs or assigns does not pay HSBC Bank USA the amount adjudged due and owing (\$544,098.07) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, her remaining rights to possession of the Kennebunk Property shall terminate, HSBC Bank USA shall conduct a public sale of the Kennebunk Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$544,098.07 after deducting the expenses of the sale, with any surplus to the Defendant, or her heirs or assigns, in accordance with 14 M.R.S.A. § 6324. HSBC Bank USA may not seek a deficiency judgment against the Defendant pursuant to the Defendant's discharge in bankruptcy.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.
4. The amount due and owing is \$544,098.07.
5. HSBC Bank USA, National Association for the Benefit of ACE Securities Corp. Home Equity Loan Trust, Series 2006-NC3, Asset-Backed Pass-Through Certificates has first priority, in the amount of \$544,098.07, pursuant to the subject Note and Mortgage and there are no parties in interest other than the Defendant, who have second priority.
7. The prejudgment interest rate is 9.00%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 9.00%, *see* 14 M.R.S.A. § 1602-C.
8. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):


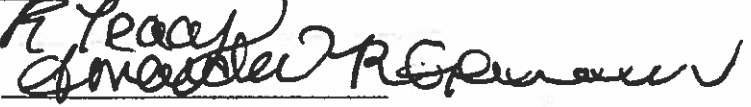
	<b>PARTIES</b>	<b>COUNSEL</b>
<b>PLAINTIFF</b>	HSBC Bank USA, National Association for the Benefit of ACE Securities Corp. Home Equity Loan Trust, Series 2006-NC3, Asset-Backed Pass-Through Certificates	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
<b>DEFENDANT</b>	Amanda R. Gendreau, as Personal Representative of the Estate of Richard M. Gendreau	William J. Gallitto, III, Esq. Bergen Parkinson 62 Portland Road, Suite 25 Kennebunk, ME 04043

- a) The docket number of this case is No. 2:19-cv-00153-JDL.
- b) The Defendant, the only party to these proceedings besides HSBC Bank USA, received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 11 White Pine Lane n/k/a 512 Alewife Road, Kennebunk, ME 04043, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 11 White Pine Lane n/k/a 512 Alewife Road, Kennebunk, ME 04043. The Mortgage was executed by the Defendant on August 25, 2006. The book and page number of the Mortgage in the York County Registry of Deeds is Book 14948, Page 0842.
- e) This judgment shall not create any personal liability on the part of the Defendant but shall act solely as an in rem judgment against the property, 11 White Pine Lane n/k/a 512 Alewife Road, Kennebunk, ME 04043.

Dated: June 18, 2019

  
John A. Doonan, Esq., Bar No. 3250  
Reneau J. Longoria, Esq., Bar No. 5746  
Attorneys for Plaintiff  
Doonan, Graves & Longoria, LLC  
100 Cummings Center, Suite 225D  
Beverly, MA 01915  
(978) 921-2670  
JAD@dgandl.com  
RJI@dgandl.com

Dated

6/10/19   
formally known as   
Amanda R. Gendreau, as Personal Representative  
of the Estate of Richard M. Gendreau  
c/o William J. Gallitto, III, Esq.  
Bergen Parkinson  
62 Portland Road, Suite 25  
Kennebunk, ME 04043

SO ORDERED.

DATED THIS

DAY OF

1 July, 2019

  
U.S. DISTRICT JUDGE